

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

SEAN YOUNG; FOREVER YOUNG
BAKERIES LLC; and FOREVER YOUNG
PROPERTIES LLC,

Plaintiffs,

vs.

TOWN OF CONWAY, NEW HAMPSHIRE

Defendant.

Civil No. 1:23-cv-00070

[PROPOSED] ORDER GRANTING TEMPORARY RESTRAINING ORDER

On consideration of Plaintiffs’ Motion for a Temporary Restraining Order, it is hereby ORDERED that the motion is GRANTED. The Court finds that Plaintiffs are likely to prevail on their claim that the Town’s differential treatment of what it deems to be “signs” versus murals violates the First Amendment. The Court also finds that Plaintiffs will suffer irreparable harm should an order not issue. The Court further finds that the balance of equities favor Plaintiffs, in that the relief requested will not impose any hardship on Defendant, and that granting Plaintiffs’ motion would be in the public interest. The Court grants the motion without notice given the imminent threat to Plaintiffs’ constitutional rights due to potential enforcement of the sign code by Defendant.

The Court accordingly GRANTS Plaintiffs’ application for a temporary restraining order. Defendant is hereby ENJOINED for a period not exceeding 14 days from taking any action to enforce Conway’s sign code provisions against the Leavitt’s Bakery mural. The Court further ORDERS that this Temporary Restraining Order is effective immediately upon issuance.

So ordered this _____ day of _____, 2023 at _____ a.m/p.m.

United States District Judge